

EXHIBIT 1



ANTITRUST AND TRADE REGULATION GROUP RESUME

BISMARCK
BOSTON
LOS ANGELES
MINNEAPOLIS
NEW YORK
SILICON VALLEY
SIOUX FALLS

ROBINS ■ KAPLAN LLP

ROBINSKAPLAN.COM

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ROBINS ■ KAPLAN LLP



OUR COMMITMENT

At Robins Kaplan LLP, our commitment to diversity has been constantly renewed and revitalized since the founding of our firm in 1938. We recognize that the professionals we employ are our primary assets. Without skilled human resources, the legal advice and courtroom advocacy we provide to our clients is diminished. We are committed to advancing diversity by ensuring that fairness, respect and professional opportunity for everyone are integral to all of our recruiting, retention and promotion efforts. We believe that the diverse background of our people brings necessary and varied perspectives that enrich our practice of law. Those perspectives make us more than a diverse law firm; they make us a smart one.

50%

ATTORNEYS PROMOTED TO PARTNER
IN 2023 ARE FROM HISTORICALLY
UNDERREPRESENTED GROUPS

2022

NAMED A BEST PLACE TO WORK FOR
LGBTQ EQUALITY BY HUMAN RIGHTS
CAMPAIGN FOR 13TH CONSECUTIVE YEAR

PROGRAMS

Quarterly Diversity Events
Disability Justice Seminars
Heritage Month Celebrations

NETWORKING

Attorneys of Color Annual Conference
Pride Month Celebrations
External Community Partnerships
Women of Robins Kaplan Quarterly Events

DEVELOPMENT

LCLD Fellows
LCLD Pathfinders
Future Leaders Program
Business Development

Black
Firm Members
Resource
Group

Women of
Robins Kaplan
Resource
Group

LGBTQ
Resource
Group

Attorneys of
Color Resource
Group

RESOURCE
GROUPS

RECOGNITIONS



DIVERSITY & FLEXIBILITY
ALLIANCE "TIPPING THE
SCALES" 2021 RECOGNITION



WANTON INJUSTICE
LEGAL DETAIL
FOUNDERS CIRCLE



Mansfield Rule™
Certified Plus 2022

2022 MANSFIELD RULE
CERTIFIED PLUS 5.0



LCLD 2020 TOP
PERFORMER



LEADERSHIP COUNCIL
ON LEGAL DIVERSITY MEMBER



LANDMARK TRIAL VICTORIES

Our trial lawyers have secured billions of dollars in damages in jury and arbitration awards against opponents from Apple to Disney to Starbucks.

\$6.8 BILLION

Settlement with Big Tobacco after a historic 15-week trial. With the result, Robins Kaplan became “the vanguard firm in the first successful battle with Big Tobacco” for states and health insurers (*Law360*). Domino-like settlements with 45 states followed.

State of Minnesota and Blue Cross & Blue Shield of Minnesota v. Philip Morris Inc., et al. (D. Minn.)

\$563 MILLION

Jury verdict against BMO Harris Bank in fraud litigation related to one of the biggest Ponzi schemes in U.S. history.

Kelley v. BMO Harris Bank (D. Minn.)

\$320 MILLION

Jury verdict, plus prejudgment interest, against the creators of “Who Wants to Be a Millionaire?” in a dispute over the show’s profits.

Celador International, Ltd. v. American Broadcasting Cos., Inc., et al. (C.D. Cal.)

\$2.7 BILLION

Arbitration award for a Kraft Foods spinoff in breach of contract action against Starbucks, which had terminated Kraft’s exclusive rights to sell Starbucks coffee in grocery and retail stores.

Kraft Foods Global, Inc. v. Starbucks Corporation

\$520 MILLION

Jury verdict against Microsoft for infringing a patent for web browser technology. The Federal Circuit affirmed the award, which increased to \$565 million with pre-judgment interest. The case settled days before a second trial on invalidity.

Eolas Technologies, Inc., et al. v. Microsoft Corp. (N.D. Ill.)

\$60.5 MILLION

Settlement on behalf of the State of Minnesota against e-cigarette maker JUUL. The settlement is the largest value per capita of any state to sue JUUL for its conduct, exceeding JUUL’s gross revenues from marketing and selling to Minnesotans.

State of Minnesota, by its Attorney General, Keith Ellison v. JUUL LABS, INC., a Delaware Corp., et al. (D. Minn.)

RECENT TRIAL EXPERIENCE RECOGNITION



“Elite Trial Lawyers List”

“Plaintiffs’ Hot List”



“A-List”



CONSULTING GROUP

“Most Feared Law Firms in Litigation”

“Client Service A-Team”

“Honor Roll: Most Feared Law Firms”

“Litigation Outlook: Awesome Opponent”



“Top 10 Plaintiffs Firm”



“Go-To Law Firms at the Top 500 Companies”

ANTITRUST LITIGATION SUCCESS

Robins Kaplan has a well-established history of successfully leading major antitrust actions.

FOR PLAINTIFFS

Payment Card Interchange Fee and Merchant Discount Antitrust Litigation

\$5.6 BILLION

For a class of 10 million merchants, Robins Kaplan pursued an innovative theory that Visa's and Mastercard's interchange fee structure and rules are anticompetitive. The \$5.6 billion settlement, which was granted final approval, is the largest known settlement of a private antitrust action in the 130-year history of the Sherman Act.

*In re Payment Card
Interchange Fee and Merchant
Discount Antitrust Litigation*
(E.D.N.Y.)

Air Cargo Shipping Services Antitrust Litigation

\$1.2 BILLION

In a class action against providers of air cargo services, Robins Kaplan collected evidence around the world and compelled deposition testimony through The Hague. The final two of 28 settlements came on the eve of trial.

*In re Air Cargo Shipping
Services Antitrust Litigation*
(E.D.N.Y.)

Automotive Parts Antitrust Litigation

**MORE THAN
\$1.2 BILLION**

In an unprecedented MDL stemming from the largest criminal antitrust investigation in U.S. history, Robins Kaplan recovered more than \$1.2 billion in settlements for purchasers of price-fixed auto parts. The cumulative figure is the largest indirect purchaser recovery in U.S. history.

*In re Automotive Parts
Antitrust Litigation*
(E.D. Mich.)

Antitrust Class Action Against Major Private Equity Firms

\$590.5 MILLION

Robins Kaplan identified private equity firms' alleged conspiracy to suppress acquisition prices for target companies in leveraged buyouts and recovered nearly \$600 million in settlements.

*Kirk Dahl, et al. v. Bain Capital
Partners, LLC, et al.* (D. Mass.)

Cathode Ray Tube Antitrust Litigation

**MORE THAN
\$400 MILLION**

Robins Kaplan secured settlements in excess of \$400 million on behalf of Best Buy in a direct action arising from allegations of a price-fixing conspiracy between the leading makers of cathode ray tubes, which were once integral components of televisions and computer monitors.

*In re Cathode Ray Tube
Antitrust Litigation*
(N.D. Cal.)

Contact Lens Antitrust Litigation

\$118 MILLION

As court-appointed co-lead counsel, Robins Kaplan reached settlements in excess of \$118 million on behalf of U.S. contact lens purchasers, resolving an expansive antitrust class action against the four dominant manufacturers and the largest nationwide distributor of contact lenses.

*In re Disposable Contact
Lens Antitrust Litigation*
(M.D. Fla.)

ANTITRUST LITIGATION SUCCESS CONTINUED

FOR DEFENDANTS

Farmed Salmon Antitrust Litigation

Reached a global, cost-of-defense settlement in September of 2022 on behalf of a Norwegian salmon sales and distribution company, resolving a series of putative nationwide class actions that alleged a global price-fixing conspiracy among sellers of Norwegian farmed Atlantic salmon.

In re Farmed Salmon Antitrust Litigation (S.D. Fla.)

Wholesale Grocery Products Antitrust Litigation

Robins Kaplan LLP served as lead counsel representing grocery wholesaler Supervalu Inc. in consolidated federal antitrust actions on behalf of putative multi-state class of grocery retailers challenging 2003 asset exchange transaction, and in a related Federal Trade Commission investigation regarding the asset exchange transaction. Robins Kaplan persuaded the FTC to close its investigation without action. A ruling was obtained excluding plaintiff's economics expert and a summary judgment was granted as well as an Eighth Circuit affirmance of judgment in Supervalu's favor in December 2019.

In re Wholesale Grocery Products Antitrust Litigation (D. Minn.)

Digital Sun v. The Toro Co.

Robins Kaplan secured Rule 12 dismissal of a complaint against The Toro Company by a manufacturer of smart-sprinkler technology, in a case at the intersection between antitrust and patent law.

Digital Sun v. The Toro Company (N.D. Cal.)

Insulate SB, Inc. v. Advanced Finishing Systems, Inc.

Robins Kaplan obtained a Rule 12(b)(6)/Twombly dismissal of a putative nationwide antitrust class action against Graco Inc. and its distributors of spray foam insulation equipment, which had been brought after a Federal Trade Commission decree related to Graco's spray foam business acquisitions. Robins Kaplan represented Graco on appeal, and it obtained an affirmance by the Eighth Circuit.

Insulate SB, Inc. v. Advanced Finishing Products & Equipment, et al. (D. Minn.)

In re Union Oil Company of California

In another case at the intersection between antitrust and patent law, Robins Kaplan defended Section 5 antitrust allegations by the Federal Trade Commission against UNOCAL based on standard-setting theory for reformulated gasoline patents.

In re Union Oil Company of California (Federal Trade Commission, 2004)

Omnicare, Inc. v. Unitedhealth Group, Inc.

Represented defendants Unitedhealth Group, Inc. and Pacificare, Inc. in an antitrust lawsuit involving alleged price-fixing and fraud related to prescription drug reimbursement under the federal Medicare Part D program. Plaintiff Omnicare sought damages exceeding \$1 billion and permanent injunctive relief. After summary judgment motion was argued in August 2008, the U.S. District Court granted summary judgment to defendants on all claims in January 2009 which the Seventh Circuit affirmed on appeal.

Omnicare, Inc. v. Unitedhealth Group (N.D. Ill.)

COURT-APPOINTED LEADERSHIP IN ANTITRUST CASES

In re Cattle and Beef Antitrust Litigation, MDL No. 03031 (D. Minn.) (Multidistrict litigation involving allegations of price-fixing in the cattle industry).

BCBSM, Inc. v. Vyera Pharmaceuticals, LLC, et al., No. 1:21-CV-01884 (S.D.N.Y.) (Alleging that Martin Shkreli and his former companies illegally monopolized the market for the life-saving drug Daraprim).

In re Bank of Nova Scotia Spoofing Litigation, No. 3:20-CV-11059 (D.N.J.) (Alleging that defendants unlawfully manipulated precious metals futures contracts).

In re Hard Disk Drive Suspension Assemblies Antitrust Litigation, MDL No. 02918 (N.D. Cal.) (Multidistrict litigation involving allegations of price-fixing of hard disk drive suspension assemblies).

In re Wells Fargo Collateral Protection Insurance Litigation, MDL No. 02797 (C.D. Cal.) (Multidistrict litigation involving allegations that Wells Fargo force-placed automobile insurance on its auto loan customers).

In re Disposable Contact Lens Antitrust Litigation, MDL No. 02626 (M.D. Fla.) (Multidistrict litigation involving allegations of price-fixing in the disposable contact lens industry).

Washington County Health Care Authority, Inc. d/b/a Washington County Hospital & Nursing Home, et al. v. Baxter International Inc., et al., No 1:16-CV-10324 (N.D. Ill.) (Alleging that defendants colluded to restrict output and increase prices of IV saline solution).

Dahl, et al. v. Bain Capital Partners, LLC, et al. No. 1:08-CV-10254 (D. Mass.) (Alleging that private equity firms conspired to rig bids and divvy up the market for private equity services for leveraged buyouts).

In re Automotive Parts Antitrust Litigation (43 separate actions) MDL No. 02311 (E.D. Mich.) (Multidistrict litigation involving allegations of price-fixing and bid-rigging by auto-parts manufacturers).

In re Vehicle Carrier Services Antitrust Litigation, MDL No. 2471 (D.N.J.) (Alleging defendants conspired to fix the prices of Vehicle Carrier Services).

In re Air Cargo Shipping Services Antitrust Litigation, MDL No. 01775 (E.D.N.Y.) (Multidistrict litigation involving allegations that a host of airlines conspired to raise cargo rates worldwide in the early 2000s).

COURT-APPOINTED LEADERSHIP IN ANTITRUST CASES CONTINUED

In re Crude Oil Commodity Futures Litigation, No. 1:11-CV-03600 (S.D.N.Y.) (Alleging that defendant manipulated derivative financial contract prices for West Texas Intermediate Crude Oil traded on the New York Mercantile Exchange).

In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation, MDL No. 02542 (S.D.N.Y.) (Multidistrict litigation alleging KEURIG coffee makers freeze out competitors' coffee cups as part of an anti-competitive scheme).

In re Optiver Commodities Litigation, No. 1:08-CV-06842 (S.D.N.Y.), (Alleging manipulation of NYMEX settlement prices of light sweet crude oil, heating oil, and gasoline).

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL No. 01720 (E.D.N.Y.) (Multidistrict litigation alleging major credit card issuers conspired to fix interchange fees [swipe fees] that are charged to merchants for the privilege of accepting payment cards at artificially high levels).

In re Polyurethane Foam Antitrust Litigation, MDL No. 02196 (N.D. Ohio) (Multidistrict litigation alleging polyurethane foam makers conspired to fix prices).

Anastasio, et al. v. Total Gas & Power North America, Inc., No. 1:15-CV-09689 (S.D.N.Y.) (Alleging one of the world's largest natural gas companies illegally manipulated the physical and financial natural gas market in the U.S.).

In re Merck Mumps Vaccine Antitrust Litigation, No. 2:12-CV-03555 (E.D. Pa.) (Alleging that Merck & Co. monopolized the U.S. market for Mumps Vaccine "by engaging in a decade-long scheme to falsify the true efficacy of its vaccine").

In re Interior Molded Doors Indirect Purchaser Antitrust Litigation, No. 3:18-CV-00850 (E.D. Va.) (Alleging that JELD-WEN, Inc. and Masonite Corporation participated in a conspiracy to artificially raise prices of Interior Molded Doors).

In re Local TV Advertising Antitrust Litigation, MDL No. 2867 (N.D. Ill.) (Multidistrict litigation alleging television stations engaged in a scheme to artificially inflate advertisement prices).

County of Monmouth, New Jersey v. Florida Cancer Specialists, P.L., et al., No. 2:18-CV-00201 (M.D. Fla.) (Alleging a Florida cancer treatment center colluded with others to monopolize oncology services in Southwest Florida).

ANTITRUST RECOGNITION

“

I know the plaintiffs' counsel by experience.
They are all top-end lawyers.

- JUDGE BRIAN COGAN

In re Air Cargo Shipping Services Antitrust Litigation (E.D.N.Y., March 24, 2016)

”

“I think you hit the nail on the head when you talked about having good lawyers in the case. I think that's the key to getting cases like this resolved. And I do want to thank all the lawyers for what they've had.”

- Judge Harvey E. Schlesinger

In re Disposable Contact Lens Antitrust Litigation (M.D. Fla., Oct. 12, 2022)

“Each of you have demonstrated extreme competence, respect for the court, and diligence in your work . . . You are certainly amongst the best attorneys with whom I have had the opportunity to work. Let me thank you for your professionalism in this case.”

- Judge Marianne O. Battani

In re Automotive Parts Antitrust Litigation (E.D. Mich., June 4, 2020)

“[G]reat papers. Great oral argument.”

- Judge Andrew J. Guilford

In re Wells Fargo Collateral Protection Insurance Litigation (C.D. Cal., June 18, 2018)

“Settlement Class Counsel are highly experienced practitioners in complex litigation generally and antitrust litigation specifically. In addition, Settlement Counsel has been consistently commended in this case, deservedly so.”

- Judge John Gleeson

In re Air Cargo Shipping Services Antitrust Litigation (E.D.N.Y., Sept. 25, 2009)

ANTITRUST RECOGNITION CONTINUED



Robins Kaplan LLP

"Robins Kaplan has a deep bench of experienced and talented antitrust lawyers."

- Interviewee Comment, *Chambers USA*, 2022

"They are highly qualified to handle complex and sophisticated matters, and are among the leading firms in the US in such matters."

- Interviewee Comment, *Chambers USA*, 2022

The Robins Kaplan National Antitrust Group "has an enviable track record litigating and winning big antitrust cases and securing favorable settlements. Whether it is credit card fees or automobile parts, the results speak for themselves."

- Interviewee Comment, *Chambers USA*, 2021

Attorneys are "well organized, thorough and whip-smart."

- Interviewee Comment, *Chambers USA*, 2021

"They are good at making cost efficiencies and understanding the business aspects."

- Client Comment, *Chambers USA*, 2019

Attorneys were "very responsive" and offered "really good insights into the navigation of the demands and requirements of regulators."

- Client Comment, *Chambers USA*, 2019

"They are simply amazing; they are forward-thinking, creative and very effective. They do a marvelous job."

- Peer Comment, *Chambers USA*, 2018

"I think the team is outstanding: Very smart, effective and great to work with – they are top shelf."

- Peer Comment, *Chambers USA*, 2018

"Receives widespread praise for its capabilities in all types of antitrust matters but has achieved particularly significant success on behalf of plaintiff clients. Demonstrates considerable trial experience and knowledge of government agencies."

- Client Comment, *Chambers USA*, 2015

They are easy to get along with, straightforward and get the job done.

- CLIENT COMMENT, *Chambers USA*, 2019

ANTITRUST RECOGNITION CONTINUED

BENCHMARK LITIGATION

Ranked Tier 1 for
Competition/Antitrust
Nationwide
2021-2023 Editions

Highly Recommended
for Dispute Resolution in
Minneapolis
2020-2023 Editions

Recommended for
Dispute Resolution in
New York
2021-2023 Editions

CHAMBERS USA

Ranked Band 1 for
Antitrust: Plaintiff
Nationwide
2014-2023

Ranked Band 1 for
Antitrust: Mainly Plaintiff
in New York
2014-2023

Ranked Band 1 for
Antitrust in Minnesota
2014-2023

GLOBAL COMPETITION REVIEW

GCR 100: Ranked One
of Four Global Elite
US Plaintiffs' Firms
2022-2023 Editions

GCR 100:
Ranked in
New York
2021 Edition

“Regional Firm of
the Year” Shortlist
2017-2020

“Litigation of the Year –
Cartel Prosecution”
Shortlist
Automotive Parts, 2021

LAW360

“Most Feared
Plaintiffs Firms”
2014-2015

“Litigation
Powerhouse”
2016 Inaugural List

“Competition Practice
Group of the Year”
2014-2015

THE LEGAL 500

One of the nation's top firms in the area of Antitrust:
Civil Litigation/Class Actions: Plaintiffs
2015-2022

U.S. NEWS & WORLD REPORT: BEST LAWYERS

Ranked Tier 1 for Antitrust Litigation in Minneapolis
2019-2023 Editions

BIOGRAPHIES



STACEY SLAUGHTER

PARTNER

CO-CHAIR, ANTITRUST AND TRADE REGULATION GROUP

MINNEAPOLIS
NEW YORK

CONTACT

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PRACTICES

Antitrust and Trade Regulation | Business Litigation | Class Action Litigation | Financial Markets
Litigation | Privacy and Cybersecurity Litigation

EXPERIENCE

Few lawyers have done more to champion the rights of consumers, businesses, and investors who have been harmed by anticompetitive conduct, fraud, and negligence than high-stakes litigator Stacey Slaughter.

Recognized by *The Legal 500* as "smart, hard-working, collegial," Ms. Slaughter is a partner and co-chair of the Antitrust and Trade Regulation Group at Robins Kaplan LLP, with decades-long experience in antitrust and consumer class action litigation, complex commercial litigation, as well as securities and financial markets litigation. The cases Ms. Slaughter has litigated have recovered more than \$1 billion for victims of deceptive or unlawful conduct, and have included some of the largest, high profile, and most innovative cases arising under antitrust and federal securities laws. At home in the courtroom, Ms. Slaughter has litigated numerous cases to trial, arbitration, and resolution, with experience in courts and arbitration forums around the United States.

A Fierce Champion

For over 20 years, Ms. Slaughter has regularly served in court-appointed leadership roles representing clients whose rights have been compromised or who face significant commercial disputes, complex business problems, and novel legal issues. She currently represents cattle ranchers and industry trade groups alleging that the country's four largest meatpackers colluded to suppress the prices paid for cattle used in beef production. She represents a class of over 10 million U.S. merchants who allege Visa, Mastercard, and their member banks violated antitrust laws by charging supracompetitive interchange fees on card transactions—a case that has settled for a historic \$5.6 billion. She also currently represents direct action plaintiffs alleging manipulation of the LIBOR benchmark in the billion-dollar multi-district litigation in the Southern District of New York against numerous bank defendants surrounding the BBA LIBOR-rigging scandal.

Among the other noteworthy results she has obtained on behalf of organizations and investors, Ms. Slaughter represented financial institutions in a class action lawsuit against Equifax regarding its unprecedented security failure, one of the largest data breaches in history that impacted an estimated 143 million Americans. She represented investors in an antitrust class action lawsuit against the largest private equity firms for a conspiracy to suppress the buyout price for public companies, which settled for \$590.5 million. Ms. Slaughter represented an institutional investor to recover a confidential settlement amount for toxic, residential mortgage-backed securities. She also represented three institutional investors in a closely-held company to recover \$40 million arising from a failed tax shelter instituted as part of a stock sale. Ms. Slaughter also recovered millions in a FINRA arbitration for a sovereign nation whose financial broker recommended investments in unsuitable, non-traded real estate investment trusts.

A Respected Leader in the Firm and Plaintiffs' Bar

Ms. Slaughter has served on the firm's Executive Board, as well as the firm's advancement, hiring, and pro bono committees. She is involved in a number of legal organizations, including the American Association for Justice, the American Bar Association, and Twin Cities Diversity in Practice. She is currently Co-chair of the Federal Bar Association's Minnesota Chapter Committee on Class Actions, Mass Tort, and MDL's.

Among her many notable recognitions, Ms. Slaughter was recently ranked one of *Lawdragon's* 500 Leading Litigators in America (2023) and in the *Chambers USA* Guide for Antitrust in Minnesota (2022-2023). She was named to the *National Law Journal's* "Elite Women of the Plaintiffs' Bar" (2020), *Twin*

Cities Business Magazine's "Notable Woman in Law" (2020), Benchmark Litigator's "Litigation Star" (2020-2023), and Super Lawyers "New York Super Lawyer" (2015-2022).

In addition to her professional practice, Ms. Slaughter served on the Law360 Competition Editorial Advisory Board (2022) and runs a *pro bono* legal clinic for the Jeremiah Program, a nonprofit organization that supports single mothers who are earning a college degree and provides early childhood development opportunities.

Before joining Robins Kaplan, Ms. Slaughter clerked in the United States District Court, District of Minnesota for Judge Michael J. Davis and Chief Judge Paul A. Magnuson. During law school, Ms. Slaughter was a research assistant at the Institute on Race and Poverty.

SELECTED RESULTS

Serving as court-appointed co-lead counsel, Robins Kaplan reached a \$5.6 billion antitrust class action settlement on behalf of a class of more than 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services. Plaintiffs alleged that Visa and Mastercard, as well as major card-issuing banks such as JPMorgan Chase, Bank of America, Citibank, Wells Fargo, and Capital One, violated antitrust laws and charged merchants who accept credit and debit cards supra-competitive fees on card transactions. The settlement, which was granted final approval in December of 2019 and affirmed on appeal in March of 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act. *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL No. 1720 (E.D.N.Y.)

As lead counsel for Tena Companies—an industry leader in mortgage quality control—reached a confidential settlement resolving a commercial contract dispute against Ellie Mae (n/k/a Intercontinental Exchange Mortgage Technologies, "ICE MT") in the U.S. District Court for the District of Minnesota. Tena alleged that ICE MT violated a contractual non-compete provision relating to federal and state mortgage regulatory reporting software, which the parties had partnered to developed as part of a joint venture. After ICE MT lost its motion to dismiss, the Court ordered the parties to mediate. The parties resolved the case confidentially. *TENA Companies, Inc. v. Ellie Mae, Inc. (n/k/a ICE MT)*, No. 21-cv-1814 (D. Minn.)

Serving on the plaintiffs' steering committee, represents a class of consumers in a lawsuit against an airbag manufacturer and auto manufacturers involving allegedly defective airbag safety systems. *ZF-TRW Airbag Control Units Products Liability Litig.*, MDL No. 2905 (C.D. Cal.)

Represents direct action plaintiffs alleging manipulation of the LIBOR benchmark in the billion-dollar multi-district litigation in the Southern District of New York against numerous bank defendants surrounding the BBA LIBOR-rigging scandal. *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262 (S.D.N.Y.)

Represented a class of consumers and reseller car dealers against Fiat Chrysler and Bosch alleging RICO claims for diesel emissions violations, which settled for \$546 million in cash and repairs. *In re: Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2777 (N.D. Cal.)

Represented three institutional investors in a closely-held company to recover \$40 million in a complex tax shelter and accounting malpractice case, arising from a failed tax shelter instituted as part of a stock sale.

Represented financial institutions in a class action lawsuit against Equifax over its unprecedeted security failure, one of the largest data breaches in history that impacted an estimated 143 million Americans. *In re Equifax*, MDL No. 2800 (N.D. Ga.)

Represented investors in a class action suit against the largest private equity firms over alleged conspiracy to suppress prices in large, leveraged buyouts. Defendants Goldman Sachs, Bain Capital, KKR, Blackstone, Silver Lake, Carlyle, and TPG agreed to settle the claims for \$590.5 million. *Kirk Dahl, et al. v. Bain Capital Partners, LLC et al.*, Court Case No. 07-cv-12388 (D. Mass.)

Represented plaintiff Federal Home Loan Bank of Pittsburgh to recover a confidential amount for toxic, residential mortgage-backed securities. *The Federal Home Loan Bank of Pittsburgh v. JP Morgan Chase & Co, et al.*, No. GD-09-016892 (Allegheny Ct., Penn.)

Recovered millions in a FINRA arbitration for a sovereign nation whose financial broker recommended investments in unsuitable, non-traded real estate investment trusts.

Represented investors in claim against broker and broker-dealer for theft and failure to supervise in FINRA arbitration.

Represented company in the financial services industry in a patent infringement suit over a method and system for transferring money.

RECOGNITION



- » Lawdragon: 500 Leading Litigators in America (2022-2023)
- » Benchmark Litigation: Litigation Star (2020-2023 Editions)
- » Super Lawyers: New York Super Lawyer (2015-2023)
- » Chambers USA: Antitrust, Minnesota (2022-2023)
- » Twin Cities Business: Notable Women in Law (2020)
- » The National Law Journal: Elite Women of the Plaintiffs' Bar (2020)
- » Minnesota Lawyer: Attorney of the Year (2014 and 2019)
- » The National Law Journal: Litigation Trailblazer (2018)
- » Profiles in Diversity Journal: Women Worth Watching (2017)
- » Law360: Women in Securities Law (2016)
- » Minneapolis/St. Paul Business Journal: 40 Under 40 (2009)
- » Minnesota State Bar Association: Recognized as a "North Star Lawyer" for providing at least 50 hours of *pro bono* legal services (2015-2022)

COMMUNITY SERVICE

- » Jeremiah Program Pro Bono Legal Clinic
- » Jeremiah Program Board of Trustees (2013-2022)

CREDENTIALS

Bar Admissions

- » Minnesota
- » New York
- » U.S. Court of Appeals, First Circuit
- » U.S. Court of Appeals, Second Circuit
- » U.S. Court of Appeals, Eighth Circuit
- » U.S. Court of Appeals, Ninth Circuit
- » U.S. Court of Appeals, Federal Circuit
- » U.S. District Court, Central District of California (Pro Hac Vice)

- » U.S. District Court, Eastern District of Michigan
- » U.S. District Court, Eastern District of New York
- » U.S. District Court, Southern District of New York
- » U.S. District Court, Colorado
- » U.S. District Court, Maryland (Pro Hac Vice)
- » U.S. District Court, Massachusetts (Pro Hac Vice)
- » U.S. District Court, Minnesota
- » U.S. District Court, Northern District of California (Pro Hac Vice)
- » U.S. District Court, Northern District of Georgia (Pro Hac Vice)
- » U.S. District Court, Western District of Texas (Pro Hac Vice)
- » U.S. District Court, Western District of Wisconsin (Pro Hac Vice)

Education

- » University of Minnesota Law School, J.D., *cum laude* (1999); Note and Comment Editor, Minnesota Law Review
- » University of Minnesota, Master's Degree (1996)
- » Florida State University, B.A., *magna cum laude*, with honors (1994)

Professional Associations

- » Federal Bar Association; Minnesota Chapter; Co-chair of Committee on Class Actions, Mass Tort, and MDL's (2021-2022; 2022-2023)
- » Law360 Competition Editorial Advisory Board (2022)
- » American Association for Justice
- » American Bar Association
- » Minnesota State Bar Association
- » New York State Bar Association
- » Twin Cities Diversity in Practice; Member Engagement & Innovation, Committee Member

RECENT MEDIA MENTIONS

Quoted in:

- » "On Deck In JPML: TikTok, RealPage, Unilever," *Law360* (March 29, 2023)
- » "Plaintiffs Bar Leaders Feeling Pressure to Make Deeper Diversity Improvements," *The National Law Journal* (December 6, 2021)
- » "Inside the 'Google-style' Tech Hub Driving Plaintiffs Firms' Growth," *The National Law Journal* (November 15, 2021)
- » "Stacey Slaughter: A Leader in the Law," *Attorney at Law Magazine* (November 4, 2021)
- » "Plaintiffs Firms and Politicians Unite in the Fight Against Big Agriculture," *The National Law Journal* (October 28, 2021)
- » "2019 Attorneys of the Year: Stacey Slaughter," *Minnesota Lawyer* (February 7, 2020)
- » "Fiat Chrysler's Attempt to Dismiss Emissions-Cheating Case Fails," *The Wall Street Journal* (March 16, 2018)
- » "Chrysler Loses Bid to Dismiss Diesel Emission Cheating Claims," *Bloomberg* (March 15, 2018)

RECENT SPEECHES

- » Pre-Trial and Early Case Coordination
Minnesota Chapter Federal Bar Association, Webinar (April 28, 2022)
- » Celebrating Native American Heritage Month - Current Issues on American Indian Law and Policy
Hennepin County Bar Association, Webinar (November 29, 2021)
- » Current Issues on American Indian Law and Policy
Moderator, In-House CLE for a Financial Institution (October 12, 2021)

- » How Affirmative Recovery Can Make Legal a Valued Business Partner
Moderator, Association of Corporate Counsel (ACC) Minnesota In-House Counsel Conference, Webinar (June 17, 2021)
- » Practice Pointers for Virtual Hearings
Moderator, Federal Bar Association Minnesota Chapter Class Action and Mass Tort Practice Groups, Webinar (May 17, 2021)
- » Avoiding Fiduciary Litigation in the Age of Technological and Digital Transformation
Robins Kaplan LLP Wealth Planning, Administration, and Disputes Annual CLE: The Future of the Fiduciary, Minneapolis, Minnesota (September 12, 2019)
- » Legal Lessons Advice to My Younger Self
2019 MWL Conference for Women in the Law, Minneapolis, Minnesota (April 26, 2019)
- » Litigation Perspectives from the United States
World Law Congress, Madrid, Spain (February 19, 2019)
- » The Equifax Data Breach Litigation Basics
Hennepin County Bar Association, Minneapolis, Minnesota (June 19, 2018)

RECENT PUBLICATIONS

- » Stacey Slaughter - *The Robins Kaplan Quarterly*, "In re LIBOR-Based Financial Instruments Antitrust Litigation (MDL 2262)" (April 2022)
- » Stacey Slaughter, Austin Hurt, Vincent Licata, "Collateralized Loan Obligations: Emerging Litigation Risks" (June 16, 2020)
- » Stacey Slaughter - *Real Talk: The Robins Kaplan Business Law Update*, "Interview with Lucy Fato, Executive Vice President and General Counsel of AIG" (Winter 2019)



GEOFFREY H. KOZEN

PARTNER

Chair of Firm's Pro Bono Committee

MINNEAPOLIS

CONTACT

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612.349.8500

PRACTICES

Antitrust and Trade Regulation | Business Litigation | Class Action Litigation

EXPERIENCE

Geoffrey Kozen focuses his practice on antitrust, class action, and other complex commercial litigation. He has experience representing clients, ranging from individuals to large corporations, in a wide array of high-stakes disputes and has prosecuted and defended numerous actions in trial and appellate courts throughout the country. And while Mr. Kozen never backs down from litigation, he also recognizes that litigation is a tool to further a client's business objectives, and often the best outcome lies in leveraging litigation into a business resolution.

Mr. Kozen is also dedicated to pro bono work. He has particular interest in representing clients in immigration courts and in advocating for those facing domestic violence.

Prior to joining Robins Kaplan, Geoffrey worked for the United States Senate and for a national antitrust policy organization.

SELECTED RESULTS

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL No. 1720 (E.D.N.Y.): Serving as court-appointed co-lead counsel, Robins Kaplan reached a \$5.6 billion antitrust class action settlement on behalf of a class of more than 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services. Plaintiffs alleged that Visa and Mastercard, as well as major card-issuing banks such as JPMorgan Chase, Bank of America, Citibank, Wells Fargo, and Capital One, violated antitrust laws and charged merchants who accept credit and debit cards supra-competitive fees on card transactions. The settlement, which was granted final approval in December of 2019 and affirmed on appeal in March of 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act.

BCBSM, Inc. v. GS Labs, LLC, No. 0:22-CV-00513 (D. Minn.): Robins Kaplan represents Blue Cross Blue Shield Minnesota ("BCBSM") in an ongoing suit alleging that GS Labs engaged in widespread fraudulent COVID testing. In response to our complaint, GS Labs levied 21 counterclaims against BCBSM including allegations of breach of contract, ERISA violations, false advertising, and violation of state and federal antitrust laws. On January 30, 2023, Judge Tostrud of the District of Minnesota issued an order granting our motion as to almost all antitrust and related counterclaims, which represented tens of millions of dollars in potential exposure to BCBSM. Litigation remains ongoing.

Zuchowski v. SFC Global Supply Chain, Inc., No. 1:20-CV-10171 (S.D.N.Y.): Obtained a Rule 12(b)(6) dismissal of a putative nationwide false advertising class action against global food manufacturer SFC Global Supply Chain Inc. ("Schwan's"). Plaintiffs sought millions in class-wide damages based on alleged false and misleading labeling and marketing of Schwan's Red Baron pizzas with the use of "preservative-free crust" and "no artificial flavors."

Jackson v. SFC Global Supply Chain, Inc., No. 3:20-CV-01072 (S.D. Ill.): Represented global food manufacturer SFC Global Supply Chain, Inc., in a putative false-advertising class action challenging the labeling of Red Baron pizzas. After most of the damages claims were dismissed under Rule 12(b)(6), achieved a confidential settlement and stipulated dismissal.

In re: LIBOR-Based Financial Instruments Antitrust Litigation, MDL No. 2262 (S.D.N.Y.): Robins Kaplan represents an investment management company that holds financial instruments with provisions to receive interest payments at rates indexed to British Bankers' Association London Interbank Offered Rate ("BBA LIBOR") benchmark rates set by defendant banks. Plaintiffs allege that defendants, who are panel bank members that report Intercontinental Exchange ("ICE") LIBOR rates daily for the benchmark's calculation, conspired to suppress those rates between August 2007 through at least 2011. The case is ongoing before the trial court.

In re Cattle and Beef Antitrust Litigation, MDL No. 3031 (D. Minn.): Robins Kaplan serves as the court-appointed liaison counsel on behalf of cattle ranchers who sold fed cattle to meatpacking defendants, including Tyson and Cargill, among others. Plaintiffs allege that defendants conspired to suppress the price paid for fed cattle since 2015. The case is ongoing before the trial court.

In re Wholesale Grocery Products Antitrust Litigation, MDL No. 02090 (D. Minn.): Robins Kaplan defended grocery wholesaler Supervalu Inc. in a putative antitrust class action by grocery retailers in 13 states alleging that Supervalu and another wholesaler, C&S Wholesale Grocers, Inc., conspired to allocate territories and customers in the Midwest and New England in violation of the Sherman Act. This significant multidistrict litigation began in 2008 and involved five separate Eighth Circuit appeals and a petition for certiorari to the U.S. Supreme Court. The case was ultimately resolved to the benefit of all parties.

Robins Kaplan represented The Gap Inc. and its subsidiaries in suits seeking relief related to hundreds of store leases affected by COVID-19 store closures and the effects of the pandemic across the United States.

Anthem v. Insys, No. 2:17-CV-02286 (D. Ariz.): Robins Kaplan represented insurer Anthem in litigation against the pharmaceutical manufacturer Insys alleging that Insys marketed Subsys, a powerful painkiller indicated only for cancer patients, to patients who did not have cancer and then lied to Anthem to get the prescriptions paid. On June 10, 2019, the filing was stayed due to Insys's bankruptcy.

RECOGNITION



- » Minnesota State Bar Association: Named a "North Star Lawyer" for providing at least 50 hours of *pro bono* legal services (2016-2022)
- » Twin Cities Diversity in Practice: Minnesota Racial Equity Challenge Certification (2021)

COMMUNITY SERVICE

- » Amara Legal Center, Co-Founder and Volunteer (2014-2015)
- » Lion's Harvest, Board Member (2022-Present)

CREDENTIALS

Bar Admissions

- » Massachusetts
- » Minnesota
- » New York
- » U.S. Court of Appeals, Eighth Circuit
- » U.S. Court of Appeals, Ninth Circuit
- » U.S. Court of Appeals, Second Circuit
- » U.S. District Court, Central District of Illinois
- » U.S. District Court, District of Colorado
- » U.S. District Court, District of Minnesota
- » U.S. District Court, District of North Dakota
- » U.S. District Court, Eastern District of New York
- » U.S. District Court, Northern District of Illinois

- » U.S. District Court, Southern District of New York
- » U.S. District Court, Western District of Wisconsin

Education

- » Georgetown University Law Center, J.D., *cum laude* (2013) *The Georgetown Law Journal*, Notes Editor (2011-2013)
- » Cornell University, B.A. (2008)

Professional Associations

- » American Bar Association
- » Committee to Support the Antitrust Laws (COSAL), Co-Chair of the Antitrust and Climate Subcommittee (2022-Present); Chair of the Young Lawyers Division (2021-2022)
- » Minnesota State Bar Association, Antitrust Council
- » New York State Bar Association

MEDIA MENTIONS

- » "Confirmation Of 3rd FTC Dem Locks In Ambitious Agenda," *Law360* (May 11, 2022)

SPEECHES

- » Antitrust Fundamentals
Panelist, Minnesota State Bar Association CLE (September 29, 2022)
- » How Affirmative Recovery Can Make Legal a Valued Business Partner
Panelist, Association of Corporate Counsel (ACC) Minnesota In-House Counsel Conference, Webinar (June 17, 2021)
- » Watch Your Step: The In-House Lawyer's Field Guide to Antitrust Compliance in the Biden Era
Co-Presenter, Minnesota CLE, Webinar (May 26, 2021)
- » Class Action Litigation Developments 2016 2017
Bloomberg BNA, Webinar (November 2, 2017)
- » *Developments in the LIBOR Antitrust MDL Case*
Robins Kaplan LLP, Webinar (August 23, 2016)

RECENT PUBLICATIONS

- » *Eric Magnuson and Geoffrey Kozen - Minnesota Lawyer*, "Briefly: What to do with a Reverse and Remand" (July 19, 2022)
- » *Geoffrey H. Kozen*, "Summary of the Trial Decision in *Epic Games, Inc. v. Apple Inc.*" (October 25, 2021)
- » *Stephen Safranski and Geoffrey Kozen - Minnesota Lawyer*, "Briefly: Federal appeals: How much notice is enough?" (September 28, 2021)



HEATHER CHANG

ASSOCIATE

Pronouns: she/her/hers

MINNEAPOLIS

CONTACT

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612.349.8260

PRACTICES

Business Litigation | Antitrust and Trade Regulation

EXPERIENCE

Heather is an Associate Attorney in the Business Litigation Group at Robins Kaplan LLP. She is a graduate of the University of Minnesota Law School. As a law student, Heather served as the Editor-in-Chief of the *Minnesota Journal of Law & Inequality* (Vol. 40), Co-President of the Asian Pacific American Law Student Association, and a Board Member of the Latinx Law Student Association. Before law school, Heather graduated from the University of Texas at Austin with honors.

CREDENTIALS

Bar Admissions

» Minnesota

Spoken Languages

» Spanish

Education

» University of Minnesota Law School (2022); *Minnesota Journal of Law & Inequality*, Editor-in-Chief (2021-2022)
» University of Texas at Austin, Bachelor of Arts in Psychology, *summa cum laude* (2018)

PUBLICATIONS

» *Denise Rahne, Heather Chang - The Robins Kaplan Spotlight, "Wearing the Right Hat"* (December 2022)



THOMAS J. UNDLIN

PARTNER

MINNEAPOLIS

CONTACT

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PRACTICES

Antitrust and Trade Regulation | Business Litigation | Intellectual Property and Technology Litigation
| Domestic and International Arbitration | Financial Markets Litigation | Patent Litigation

EXPERIENCE

Thomas Undlin has experience in an array of complex business disputes including antitrust, breach-of-contract, fraud, securities, and intellectual property claims. He has practiced in a wide range of jurisdictions including state and federal courts in Minnesota, Wisconsin, Illinois, New York, Texas, and California, as well as varied sponsoring agencies for both domestic and international arbitration and dispute resolution. As co-lead counsel, Mr. Undlin played a key role in *Kirk Dahl, et al. v. Bain Capital Partners, LLC et al.*, a class action suit against some of the world's largest private equity firms for a conspiracy to suppress the buyout price for public companies, with total settlements of nearly \$600 million. Mr. Undlin is also a co-lead counsel in *In re Payment Card Interchange Fee and Merchant Discount Litigation*, since its inception in 2005. Mr. Undlin and his team secured a \$5.6 billion class settlement in the historic litigation in September 2018. The settlement, which was granted final approval in December 2019 and affirmed on appeal in March 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act.

According to *Chambers*, Mr. Undlin "is a first-class lawyer and wonderful adviser."

SELECTED RESULTS

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL No. 1720 (E.D.N.Y.): Serving as court-appointed co-lead counsel, Robins Kaplan reached a \$5.6 billion antitrust class action settlement on behalf of a class of more than 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services. Plaintiffs alleged that Visa and Mastercard, as well as major card-issuing banks such as JPMorgan Chase, Bank of America, Citibank, Wells Fargo, and Capital One, violated antitrust laws and charged merchants who accept credit and debit cards supra-competitive fees on card transactions. The settlement, which was granted final approval in December of 2019 and affirmed on appeal in March of 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act.

Kirk Dahl, et al. v. Bain Capital Partners, LLC et al., No. 07-CV-12388 (D. Mass.): Co-lead counsel representing public shareholders of target companies taken private in large leveraged buyouts in a class action suit against the largest private equity firms who allegedly conspired to suppress the acquisition prices for the target companies.

Omnicare, Inc. v. UnitedHealth Group, Inc.: Represented defendants UnitedHealth Group, Inc. and PacifiCare, Inc. in an antitrust lawsuit involving alleged price-fixing and fraud related to prescription drug reimbursement under the federal Medicare Part D program. Plaintiff Omnicare sought damages exceeding \$1 billion and permanent injunctive relief. After summary judgment motion was argued in August 2008, the U.S. District Court granted summary judgment to defendants on all claims in January 2009. Published decision: *Omnicare, Inc. v. UnitedHealth Group, Inc.*, 594 F. Supp. 2d 945 (N.D. Ill. 2009). Summary judgment was subsequently affirmed. *Omnicare, Inc. v. UnitedHealth Group, Inc.*, 629 F.3d 697 (7th Cir. 2011).

Powell Protection Systems, Inc. v. Best Buy Stores, L.P. (Dallas County, Texas): Lead trial counsel in defense of action claiming interference with contract and fraud relating to a home audio/video/security wiring program (2007).

RECOGNITION

- » *The Best Lawyers in America*: Litigation - Intellectual Property (2023 Edition)
- » *Benchmark Litigation*: Litigation Star (2020-2023 Editions)
- » *Chambers USA*: Antitrust, Minnesota (2022-2023)

CREDENTIALS

Bar Admissions

- » Minnesota
- » U.S. District Court, Minnesota
- » U.S. Court of Appeals, Second Circuit
- » U.S. Court of Appeals, Eighth Circuit
- » U.S. Court of Appeals, Federal Circuit
- » U.S. Supreme Court

Education

- » William Mitchell College of Law, J.D., *cum laude* (1987)
- » St. Olaf College, B.A., Political Science

Professional Associations

- » American Bar Association (Litigation Section)
- » Minnesota State Bar Association
- » Hennepin County Bar Association

MEDIA MENTIONS

- » "Wisconsin farmers attend NFU Convention," *Morning AgClips* (March 13, 2023)
- » "DOJ pledges to fight ag antitrust cases, even when 'law is challenging,'" *Agri-Pulse* (March 8, 2023)



J. AUSTIN HURT

COUNSEL

MINNEAPOLIS

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EXPERIENCE

J. Austin Hurt is counsel in Robins Kaplan's Minneapolis office. Mr. Hurt has more than a decade of experience working with the firm's litigation teams on strategies and techniques to protect assets and recover losses in a wide range of business disputes venued in state and federal courts and arbitration forums. Mr. Hurt specializes in class action lawsuits, as well as arbitration, antitrust, securities litigation and complex FINRA arbitrations. He has worked with clients through all stages of litigation, from pre-suit evaluations, to aggressively pursuing discovery, to helping secure the best outcome in high-profile matters.

Mr. Hurt was part of the plaintiff's steering committee team in the Fiat Eco Diesel Emissions multidistrict litigation. He also worked on the LIBOR Interest Rate Benchmark Litigation case, and the Equifax data breach case.

RECOGNITION

» Minnesota State Bar Association: Named a "North Star Lawyer" for providing at least 50 hours of *pro bono* legal services (2022)

CREDENTIALS

Bar Admissions

» Minnesota
» New York
» U.S. District Court, District of Minnesota
» U.S. District Court, Eastern District of Michigan

Education

» Hamline University School of Law, J.D. (2010)
» Hawai'i Pacific University, B.A. (2007)

Professional Associations

» Minnesota State Bar Association

PUBLICATIONS



STEPHANIE A. CHEN

ASSOCIATE

Pronouns: she/her

MINNEAPOLIS

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PRACTICES

Business Litigation | Health Care Litigation | Antitrust and Trade Regulation | Class Action Litigation

EXPERIENCE

Stephanie Chen is an associate in the firm's business litigation practice, with experience in complex civil litigation in the technology, financial, agriculture, and healthcare industries. She has experience across various stages of the litigation process, from pre-suit evaluations, motions to dismiss, pursuing and defending discovery, to dispositive motions, mediation, and trial and jury strategy. She has represented clients in both state and federal court, including in the U.S. District Court for the District of Minnesota, the Northern District of California, and the Eastern District of Virginia. Stephanie maintains an active pro bono practice representing entrepreneurs, artists, and foster care youths, and advocates for diversity and inclusion in the legal profession.

Stephanie is a graduate of the University of Virginia School of Law, where she served on the Editorial Board of the *Virginia Law & Business Review* and as a Legal Research and Writing teaching assistant.

SELECTED RESULTS

Represented farmers in an antitrust class action against major peanut shelling companies, helping recover a settlement of approximately \$57.75 million for the class. Directly supported court-appointed lead counsel through virtually every aspect of the litigation, including case investigation, briefing for motions and oppositions, depositions, and trial strategy. *In re Peanut Farmers Antitrust Litig.*, No. 2:19-cv-00463 (E.D. Va.) (Prior to joining Robins Kaplan LLP).

RECENT RECOGNITION

- » Named a "Minnesota Rising Star" by *Super Lawyers* (2022)
- » Named a "North Star Lawyer" by the Minnesota State Bar Association for providing at least 50 hours of *pro bono* legal services (2018-2019)
- » Recipient of the Fredrikson & Byron Foundation Minority Scholarship (2016)

COMMUNITY SERVICE

- » Minnesota Asian Pacific American Bar Association, Vice President of Communications
- » Twin Cities Diversity in Practice, Emerging Leaders Group Co-Chair
- » Minnesota Lawyers for the Arts, Volunteer
- » Children's Law Center, Volunteer
- » LegalCORPS, Volunteer

CREDENTIALS

Bar Admissions

- » Minnesota
- » U.S. District Court, District of Minnesota

Education

- » University of Virginia School of Law, J.D. (2018); *Virginia Law & Business Review* (Editorial Board, 2017-2018)
- » University of Southern California, B.A. in Philosophy, Politics, Law (2015); *magna cum laude*

Professional Associations

- » Minnesota State Bar Association
- » Hennepin County Bar Association
- » Federal Bar Association, Minnesota Chapter
- » Minnesota Women Lawyers
- » Minnesota Asian Pacific American Bar Association
- » National Asian Pacific American Bar Association

SPEECHES

- » What I Know Now I Wish I Knew Then – Candid Advice for New Lawyers
Moderator, Minnesota CLE 2023 New Lawyer Experience (January 2023)
- » How Does Feedback Impact Retention?
Panelist, Twin Cities Diversity in Practice (May 2022)
- » Conversation with St. Paul Mayor Melvin Carter
Twin Cities Diversity in Practice and Wanton Injustice Legal Detail Annual Meeting (April 2022)
- » API Job Panel and Networking Session
Panelist, University of Minnesota Law School Asian Pacific American Law Students Association (February 2021)
- » Twin Cities Diversity in Practice 1L Clerkship Informational Session
Panelist, Twin Cities Diversity in Practice (November 2020)
- » LGN Leadership in the Law with Hennepin County District Court Chief Judge Toddrick Barnette
Moderator, Lockridge Grindal Nauen P.L.L.P. (October 2020)



ERIC BARSTAD

C O U N S E L

MINNEAPOLIS

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PRACTICES

Antitrust and Trade Regulation | Mergers and Acquisitions | Appellate Advocacy and Guidance |
Business Litigation | Financial Markets Litigation | Class Action Litigation

EXPERIENCE

Eric Barstad is a litigator and counselor whose work encompasses all aspects of the firm's business litigation, antitrust, and appellate practices. Over the course of his career, Eric has represented major technology, healthcare, and sports and entertainment clients in connection with strategic transactions and government investigations, including serving as global coordinating counsel on multi-jurisdictional mergers and acquisitions. A skilled listener, Eric regularly advises Fortune 500 companies on the antitrust implications of potential business initiatives and has counseled and litigated on behalf of clients regarding all forms of unfair competition law, including intellectual property and trade secrets.

Eric's litigation experience encompasses a broad array of industries and claims, including healthcare, contract disputes, insurance claims, financial markets, Administrative Procedure Act litigation, and American Indian Law matters. He regularly litigates high-profile antitrust cases around the country, both prosecuting and defending multidistrict monopolization and cartel cases.

Prior to joining Robins Kaplan, Eric spent six years in the antitrust group of a New York City law firm where his practice included a full range of antitrust counseling, merger control, and litigation.

SELECTED RESULTS

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL No. 1720 (E.D.N.Y.): Serving as court-appointed co-lead counsel, Robins Kaplan reached a \$5.6 billion antitrust class action settlement on behalf of a class of more than 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services. Plaintiffs alleged that Visa and Mastercard, as well as major card-issuing banks such as JPMorgan Chase, Bank of America, Citibank, Wells Fargo, and Capital One, violated antitrust laws and charged merchants who accept credit and debit cards supra-competitive fees on card transactions. The settlement, which was granted final approval in December of 2019 and affirmed on appeal in March of 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act.

In re Farm-Raised Salmon & Salmon Prods. Antitrust Litigation: As lead defense counsel for a Norwegian salmon sales and distribution company, reached global cost-of-defense settlement, resolving a series of putative nationwide class actions alleging a global price-fixing conspiracy among sellers of Norwegian farmed Atlantic salmon.

RECOGNITION

» Member of team awarded "Antitrust Matter of the Year" by *Global Competition Review* (2013)

CREDENTIALS

Bar Admissions

- » Minnesota
- » New York
- » U.S. District Court, District of Minnesota

Education

- » University of Chicago Law School, J.D.; Donald E. Egan Scholar (2010)
- » University of Michigan, A.B. in Philosophy (2007)

Professional Associations

- » American Bar Association; Antitrust Division, IP Committee

MEDIA MENTIONS

- » "Antitrust Regulators Mull Reworking of Key Merger Review Metric," *Bloomberg Law* (January 28, 2022)

SPEECHES

- » Antitrust Hot Spots for Business Lawyers and In-House Counsel
Minnesota CLE Seminar, Minneapolis, Minnesota (December 5, 2022)

PUBLICATIONS

- » *Stephen Safranski, Eric Barstad - Bloomberg Law*, "Competitor Collaborations and Covid-19—Antitrust Considerations" (May 11, 2020)



K. CRAIG WILDFANG

PARTNER

CHAIR EMERITUS, ANTITRUST AND TRADE REGULATION GROUP

MINNEAPOLIS

CONTACT

KCWildfang@RobinsKaplan.com
612.349.8500

PRACTICES

Antitrust and Trade Regulation | Business Litigation | Class Action Litigation

EXPERIENCE

Mr. Wildfang has experience in antitrust litigation and counseling for over 30 years. He has represented parties in many private civil antitrust actions in industries ranging from insurance to agricultural commodities and has counseled clients on a wide variety of antitrust and trade regulation issues from mergers and joint ventures to marketing and sales programs.

From 1993 to 1996, Mr. Wildfang served as Special Counsel to the Assistant Attorney General for Antitrust, United States Department of Justice in Washington, D.C. In that position he was responsible for advising the Assistant Attorney General on the Justice Department's complex civil antitrust litigation, as well as managing certain high-profile cases. Among other matters, Mr. Wildfang directed the Justice Department's efforts in the civil action against Nasdaq securities firms for price-fixing (*United States v. Alex Brown & Sons, et al.*, S.D.N.Y. No. 96 Civ. 5313), the government's action challenging international anticompetitive intellectual property licenses (*United States v. Pilkington PLC, et al.*, D.Ariz. No. 94-345), as well as being involved in the government's investigation of anticompetitive practices by Visa and Master Card in the credit card industry.

According to *Chambers*, Mr. Wildfang "leverages his tremendous experience to provide real strategic value-add to the lawyers running the litigation day to day," and brings to his practice "the highest level of professionalism and legal skills."

SELECTED RESULTS

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, MDL No. 1720 (E.D.N.Y.): Serving as court-appointed co-lead counsel, Robins Kaplan reached a \$5.6 billion antitrust class action settlement on behalf of a class of more than 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services. Plaintiffs alleged that Visa and Mastercard, as well as major card-issuing banks such as JPMorgan Chase, Bank of America, Citibank, Wells Fargo, and Capital One, violated antitrust laws and charged merchants who accept credit and debit cards supra-competitive fees on card transactions. The settlement, which was granted final approval in December of 2019 and affirmed on appeal in March of 2023, represents the largest settlement of a private antitrust action in the 130-year history of the Sherman Act.

In re: LIBOR-Based Financial Instruments Antitrust Litigation, 11-md-02262 (S.D.N.Y.): Robins Kaplan represents an investment management company that holds financial instruments with provisions to receive interest payments at rates indexed to British Bankers' Association London Interbank Offered Rate ("BBA LIBOR") benchmark rates set by defendant banks. Plaintiffs allege that defendants, who are panel bank members that report Intercontinental Exchange ("ICE") LIBOR rates daily for the benchmark's calculation, conspired to suppress those rates between August 2007 through at least 2011. The case is ongoing before the trial court.

Kirk Dahl, et al. v. Bain Capital Partners, LLC et al., No. 07-cv-12388 (D. Mass.): Co-lead counsel representing public shareholders of target companies taken private in large leveraged buyouts in a class action suit against the largest private equity firms who allegedly conspired to suppress the acquisition prices for the target companies.

In re: Visa/MasterCard Antitrust Litigation, MDL 1575. Represented Best Buy, Inc. and Darden Restaurants (Red Lobster, Olive Garden) in antitrust challenge to anticompetitive conduct of Visa and MasterCard credit card networks

Represented large agribusiness clients who were opt-out plaintiffs in *In re Vitamins Antitrust Litigation*, MDL 1285 (D.D.C.). The Vitamins litigation arose out of a decade-long price-fixing cartel of the major international vitamin manufacturers, and involved vigorously contested disputes regarding jurisdiction, foreign discovery, conspiracy, damages and expert issues. Clients included Land O' Lakes, Inc., Hormel Foods Corporation, CHS Co-Operatives, Gold'n Plump Poultry, and other large vitamin purchasers. The cases settled after discovery was complete, but before trial, for in excess of \$250,000,000.

In re Methionine Antitrust Litigation, MDL 1311, (N.D. Cal.), represented many of the same large agribusiness clients as in *In re: Vitamins Antitrust Litigation*. Involved a challenge to international price-fixing cartel. Settled for \$35,000,000.

From 1995 until 1998, Mr. Wildfang was the lead counsel for 22 plaintiffs in the case of *Concord Boat Co., et al. v. Brunswick Corp.* (See reported decisions at 21 F. Supp.2d 923, 34 F. Supp.2d 1125 (E.D. Ark. 1998)). The case involved cutting edge antitrust claims of restraint of trade, monopolization and unlawful mergers. After a 10 week trial, on June 19, 1998 the jury returned a verdict in favor of plaintiffs on all counts, and awarded damages of \$133,000,000, plus attorneys fees. The jury's verdict was reversed on appeal, 207 F.3d 1039 (8th Cir. 2000), *cert. denied*, 531 U.S. 979 (2000) on grounds later rejected in a Third Circuit case pursuing a similar legal theory (Prior to joining Robins Kaplan LLP).

In re Workers' Compensation Ins. Antitrust Litig., (D.Minn. 4-85-1166), 574 F. Supp. 525 (D.Minn. 1983); 867 F.2d 1552 (8th Cir.); *cert. denied*, 492 U.S. 920 (1989); 130 F.R.D. 99 (D.Minn. 1990); 771 F. Supp. 284 (D.Minn. 1991) (Prior to joining Robins Kaplan LLP), a precedent-setting case involving both the McCarran-Ferguson Act exemption for insurance companies, as well as the State Action Doctrine.

Midwestern Mach. Co., et al. v. Northwest Airlines, Inc., (D.Minn. 97-1438), 990 F. Supp.2d 1128 (D.Minn. 1998); *rev'd*, 167 F.3d 439 (8th Cir. 1999) (Prior to joining Robins Kaplan LLP).

RECENT RECOGNITION

- » *National Law Journal*: Elite Trial Lawyers Lifetime Achievement (2023)
- » *Benchmark Litigation*: Litigation Star (2020-2023 Editions)
- » *Lawdragon*: 500 Leading Litigators in America (2022)
- » *Chambers USA* —Antitrust, Minnesota—Band 1 (2014-2023)
- » *Chambers USA* —Antitrust: Plaintiff, Nationwide—Band 2 (2013-2023)
- » *The Legal 500*: Recommended in the United States for Antitrust Class Actions: Plaintiff (2014-2022)
- » *The Best Lawyers in America*: Antitrust Litigation (2012-2023)
- » *Super Lawyers*: Minnesota Super Lawyer (2003-2022)
- » *Finance & Commerce and Minnesota Lawyer*: Minnesota ICON (2021)
- » *Lawdragon 500*: Leading Plaintiff Financial Lawyers (2020-2021)
- » *Law360*: Titan of the Plaintiffs Bar (2020)
- » *Lawdragon 500*: Leading Lawyers in America (2012-2018)

CREDENTIALS

Bar Admissions

- » Minnesota
- » U.S. District Court, Minnesota
- » U.S. District Court, Wisconsin
- » U.S. Court of Appeals, First Circuit
- » U.S. Court of Appeals, Second Circuit
- » U.S. Court of Appeals, Third Circuit
- » U.S. Court of Appeals, Fourth Circuit
- » U.S. Court of Appeals, Eighth Circuit
- » U.S. Court of Appeals, Eleventh Circuit
- » U.S. Supreme Court

Education

- » University of Minnesota School of Law, J.D., *cum laude* (1977)
- » University of Minnesota, B.A., *magna cum laude*

Professional Associations

- » Minnesota State Bar Association, served two years as Chairman of the Antitrust Section
- » American Bar Association

MEDIA MENTIONS

- » *USA Today*, Apple's Threat to Visa, MasterCard, Citigroup and Bank of America
- » *AJC.com*
- » *American Banker*
- » *American Lawyer Litigation Daily*
- » *Bloomberg*
- » *Forbes*
- » *KDOW Radio*
- » *Law360*
- » *Lawdragon.com*
- » *Minneapolis/St. Paul Business Journal*
- » *News Night Minnesota (Minnesota Public Television)*
- » *New York Times Blog*
- » *The New York Times DealBook Newsletter*
- » *Payments Journal*
- » *Politico*
- » *Portland Press Herald*
- » *Sacramento Bee*
- » *St. Louis Post-Dispatch*
- » *Star-Telegram*
- » *Star Tribune*
- » *Thomson Reuters News & Insight*
- » *TH Online*
- » *WCCO Radio*
- » *WSJ.com*

SPEECHES

- » Frequent lecturer on antitrust and complex litigation matters at continuing legal education seminars across the country.
- » Legal Series: U.S. Antitrust Laws - Developments in its Extraterritorial Reach
The Knowledge Group LLC (January 30, 2015)
- » The Future of Interchange in a Post Durbin Era
23rd Annual Card Forum and Expo Miami, Florida (April 28, 2011)
- » What Does American Needle Portend? (Panel Discussion)
The Sedona Conference, Phoenix, Arizona (October 28, 2010)
- » Evaluating Mergers of Internet Companies (Panel Discussion)
The Sedona Conference, Phoenix, Arizona (October 28, 2010)
- » Two-Sided Markets (Panel Member)
American Bar Association, Section of Antitrust Law, Washington, D.C. (January 29, 2009)
- » The Future of Private Enforcement of the Antitrust Laws (Panel Discussion)
American Antitrust Institute, National Press Club, Washington, D.C. (June 19, 2008)
- » New Challenges in an Evolving Antitrust Era
Robins, Kaplan, Miller & Ciresi L.L.P., Minneapolis, MN (May 18, 2006)

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